

*gmr*

United States District Court  
Office of the Clerk  
Eastern District of Texas

**FILED**  
**DEC 26 2007**  
**DEC 26 2007**

**07C 6813**

David J. Maland  
Clerk

4:07cv493

King

v.

Ocwen Loan Servicing LLC

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

US District Clerk  
United States Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Dear Clerk:

Pursuant to an order from the Judicial Panel on Multidistrict Litigation - Conditional Transfer Order (CTO-47), we are transferring to your district the above entitled case of action. We are forwarding certified copies of the Conditional Transfer Order (CTO-47), docket sheet, and Notice of Removal.

In February 2004, the Eastern District of Texas implemented CM/ECF. You may access our electronic case file at the following web address: \_\_\_\_\_ We have assigned a login and password for the district courts to use in accessing this information. The login is \_\_\_\_\_ and the password is \_\_\_\_\_

The login and password should not be shared with anyone other than federal court personnel who would have a need to access our electronic case file system. You will need Adobe Acrobat Reader loaded on your computer in order to view the documents.

If you need help accessing our electronic file call us at 903-892-2921.

Please acknowledge receipt of these documents on the copy of this letter and return it to this office in the enclosed envelope.

Sincerely,  
David J. Maland, Clerk

By Becca Ferrill  
Deputy Clerk

Enclosures

Received items described above on this date: \_\_\_\_\_  
Case Number Assigned: \_\_\_\_\_

Clerk, US District Court  
by \_\_\_\_\_

CLOSED

**U.S. District Court [LIVE]  
Eastern District of TEXAS (Sherman)  
CIVIL DOCKET FOR CASE #: 4:07-cv-00493-RAS  
Internal Use Only**

King et al v. Ocwen Loan Servicing LLC et al  
Assigned to: Judge Richard A. Schell  
Case in other court: 416th Judicial District  
Court of Collin County  
TX, 416-11-00007  
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 10/24/2007  
Date Terminated: 12/03/2007  
Jury Demand: Plaintiff  
Nature of Suit: 290 Real  
Property: Other  
Jurisdiction: Diversity

**Plaintiff**

**Gary King**

represented by **William H Oliver**  
Pipkin Oliver & Bradley  
1020 NE Loop 410  
Suite 810  
San Antonio, TX 78209  
210/820-0082  
Fax: 210/820-0077  
Email: wholiver@poblip.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Edward Morgan Carstarphen, III**  
Ellis Carstarphen Dougherty  
Goldenthal  
5847 San Felipe  
Suite 1900  
Houston, TX 77057  
713/647-6800  
Fax: 713/647-6884  
Email: emc@ecdglaw.com  
**ATTORNEY TO BE NOTICED**

ATTEST: COURT CLERK  
DAVID J. MALONE, CLERK  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
BY: *[Signature]*

**Plaintiff**

**Lisa King**

represented by **William H Oliver**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward Morgan Carstarphen, III**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Ocwen Loan  
Servicing LLC**  
*Successor in Interest to  
Ocwen Federal Bank,  
FSB*

represented by **Mark Douglas Cronenwett**  
Cowles & Thompson - Dallas  
Corporate  
901 Main Street  
Suite 4000  
Dallas, TX 75202-3793  
214/672-2000  
Fax: 12146722359  
Email:  
mcronenwett@cowlesthompson.com

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lindsay Leever Stansberry**  
Cowles & Thompson - Tyler  
1202 First Place  
Tyler, TX 75702  
903/596-9000  
Email:  
lstansberry@cowlesthompson.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**US Bank National Association** represented by **Mark Douglas Cronenwett**  
(See above for address)  
*Successor in Interest to* **LEAD ATTORNEY**  
*Wachovia Bank, NA* **ATTORNEY TO BE NOTICED**  
*f/k/a First Union*  
*National Bank, as*  
*Trustee for American*  
*Residential Eagle*  
*Certificate Trust 1998-*  
*1*

**Defendant**

**Russell Stockman** represented by **Don T Schwartz**  
*Substitute Trustee* Schwartz & Kalinowski  
1821 Mons Avenue  
Rosenberg, TX 77471  
281-342-2806  
Fax: 281-342-2807  
Email:  
schwartz\_kalinowski@yahoo.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Baxter & Schwartz** represented by **Don T Schwartz**  
**PC** (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Unknown Holders**  
**and/or Owners of**  
**Residual Interest in**  
**Securitization of the**  
**American Residential**  
**Eagle Certificate**  
**Trust 1998-1**

Date Filed	#	Docket Text
10/24/2007	● <u>1</u>	NOTICE OF REMOVAL against US Bank National Association, Russell Stockman, Baxter & Schwartz PC, Ocwen Loan Servicing LLC, Unknown Holders and/or Owners of Residual Interest in Securitization of the American Residential Eagle Certificate Trust 1998-1 (Filing fee \$ 350;receipt #4-2-1902), filed by US Bank National Association, Ocwen Loan Servicing LLC. (Attachments: # <u>1</u> List of All Parties# <u>2</u> List of All Known Counsel of Record# <u>3</u> Index of Documents Attached# <u>4</u> Exhibit A Certified Copy of State Court Docket Sheet# <u>5</u> Exhibit B-1 Original Complaint filed in State Court# <u>6</u> Exhibit B-2 Original Answer of Dft Ocwen Lan Servicing & US Bank National Assoc. filed in State Court# <u>7</u> Exhibit B-3 Original Answer of Dfts Stockman & Baxter & Schwartz PC filed in State Court# <u>8</u> Exhibit C# <u>9</u> Exhibit D# <u>10</u> Exhibit E# <u>11</u> Exhibit F# <u>12</u> Civil Cover Sheet)(baf, ) (Entered: 10/25/2007)
10/24/2007	● <u>2</u>	NOTICE OF CERTIFICATE OF INTERESTED PERSONS by US Bank National Association, Ocwen Loan Servicing LLC (baf, ) (Entered: 10/25/2007)
10/24/2007	● <u>3</u>	Magistrate Consent Form and Notice of Case Assignment sent electronically to US Bank National Association, Russell Stockman, Baxter & Schwartz PC, Gary King, Lisa King, Ocwen Loan Servicing LLC (Attachments: # <u>1</u> Notice of Case Assignment) (baf, ) (Entered: 10/25/2007)
10/31/2007	● <u>4</u>	ORDER TO CONDUCT RULE 26(f) CONFERENCE - Rule 26 Meeting Joint Written Report due by 12/28/2007. Signed by Judge Richard A. Schell on 10/30/2007. (baf, ) (Entered: 10/31/2007)
11/16/2007	● <u>5</u>	NOTICE by Gary King, Lisa King <i>Plaintiffs' Verified Denial of Defendants' Claim of Status</i> (Oliver,

		William) (Entered: 11/16/2007)
11/27/2007	36	MOTION to Stay <i>Unopposed</i> by Ocwen Loan Servicing LLC. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D)(Cronenwett, Mark) (Entered: 11/27/2007)
12/03/2007	37	CONDITIONAL TRANSFER ORDER (CTO-47) transferring case to the Northern district of Illinois, with the consent of the court assigned to the Honorable Charles R Norgle, Sr. (baf, ) (Entered: 12/05/2007)
12/03/2007	38	Interdistrict transfer to the Northern District of Illinois. Mailed certified copies of docket sheet and complaint with transmittal letter and copy of ND/IL conditional transfer order. (baf, ) (Entered: 12/05/2007)

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

NOV 13 2007

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATIONFILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

DEC 3 2007

IN RE: OCWEN FEDERAL BANK FSB MORTGAGE  
SERVICING LITIGATION

Gary King, et al. v. Ocwen Loan Servicing, LLC., et al., )

E.D. Texas, C.A. No. 4:07-493 )

James Hallmark, et al. v. Ocwen Loan Servicing, LLC, )

et al., W.D. Texas, C.A. No. 5:07-868 )

BY  
DEPUTY

MDL No. 1604

4:07cv493

## CONDITIONAL TRANSFER ORDER (CTO-47)

On April 13, 2004, the Panel transferred six civil actions to the United States District Court for the Northern District of Illinois for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1376 (J.P.M.L. 2004). Since that time, 75 additional actions have been transferred to the Northern District of Illinois. With the consent of that court, all such actions have been assigned to the Honorable Charles R. Norgle, Sr.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Illinois and assigned to Judge Norgle.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of Illinois for the reasons stated in the order of April 13, 2004, and, with the consent of that court, assigned to the Honorable Charles R. Norgle, Sr.

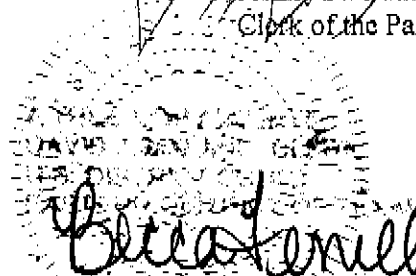
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Illinois. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffrey N. Luthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

NOV 29 2007

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION


**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
 Judge John G. Heyburn II  
 United States District Court  
 Western District of Kentucky

**MEMBERS:**  
 Judge D. Lowell Jensen  
 United States District Court  
 Northern District of California

Judge J. Frederick Motz  
 United States District Court  
 District of Maryland

Judge Robert L. Miller, Jr.  
 United States District Court  
 Northern District of Indiana

Judge Kathryn H. Vratil  
 United States District Court  
 District of Kansas

Judge David R. Hansen  
 United States Court of Appeals  
 Eighth Circuit

Judge Anthony J. Scirica  
 United States Court of Appeals  
 Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
 Clerk of the Panel  
 One Columbus Circle, NE  
 Thurgood Marshall Federal  
 Judiciary Building  
 Room G-255, North Lobby  
 Washington, D.C. 20002

Telephone: (202) 502-2800  
 Fax: (202) 502-2888  
<http://www.jpml.uscourts.gov>

November 29, 2007

Michael W. Dobbins, Clerk  
 Everett McKinley Dirksen U.S. Courthouse  
 219 South Dearborn Street  
 Chicago, IL 60604

**RECEIVED**  
 U.S. DISTRICT COURT  
 EASTERN DISTRICT OF TEXAS

**4:07cv493**

DEC - 3 2007

Re: MDL No. 1604 -- IN RE: Ocwen Federal Bank FSB Mortgage Servicing Litigation

(See Attached CTO-47)

BY \_\_\_\_\_  
 DEPUTY { }

Dear Mr. Dobbins:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on November 13, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
 Clerk of the Panel

By Denise Morgan Stone  
 Deputy Clerk

Attachment

cc: Transferee Judge: Judge Charles R. Norgle, Sr.  
 Transferor Judges: Judge Richard A. Schell; Judge Orlando L. Garcia  
 Transferor Clerks: David J. Maland; William G. Putnicki

JPML Form 36



**IN RE: OCWEN FEDERAL BANK FSB MORTGAGE  
SERVICING LITIGATION**

MDL No. 1604

**INVOLVED COUNSEL LIST (CTO-47)**

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